



Journal of the Senate

Number 2—Regular Session

Wednesday, March 5, 2003

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CALL TO ORDER

The Senate was called to order by President King at 10:00 a.m. A quorum present—38:

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Excused: Senator Campbell

PRAYER

The following prayer was offered by the Rev. Phil Edwards, First Assembly of God, Panama City:

Heavenly Father, the first thing we wish to do together in our hearts is to express thanks to you for another wonderful day of life and liberty in this great land. We thank you also for the opportunity we have to gather here and to conduct business with integrity and honor. We are grateful that the freedoms that we enjoy have been and still continue to be a blessing and are a blessing to this people.

We ask you, Father, that you would give your presence and hand of healing to Senator Campbell who could not be here this morning, who is sick with pneumonia. We pray for your grace and strength to him physically, emotionally and spiritually in every way.

We also ask for your intervention of wisdom, both to our President, to our Congress, and to the State Legislature of Florida. All of us throughout this great land are seeking security and are looking for wisdom and understanding in how to manage our affairs in a time of terrorism and possible war. We ask for grace, humility and courage combined, these being the three great elements that make great leaders.

We ask for your blessings over the great State of Florida. For these Senators who will deal with the business today, we pray that you would grant them the fear of the Lord. For that, your Word says, is the beginning of wisdom. We pray that the fear of the Lord and your sense of righteousness will be greater than the fear of one's constituents. We pray that we would be more concerned with offending the great Lord, that we call the God in whom we put our trust, more than we fear offending those who place us in office.

We ask you, Father, for that righteous sense of humility as simple people who have risen to be the greatest power the world has ever known. We ask you for that simple humility and the courage to implement righteous legislation. Bless these men and women. This illustrious, august assembly needs your grace and peace and strength. We thank you once again and we believe you to guide our steps and order them according to your Word. In the name of Jesus, your Son, Amen.

PLEDGE

Senate Pages Adam Batchelor of Homestead, Margaret McLarty and Stephen York of Tallahassee, and Stephanie Cagnet of Jacksonville, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Stephen Stowers of Jacksonville, sponsored by Senator Wise, as doctor of the day. Dr. Stowers specializes in Cardiology.

SPECIAL ORDER CALENDAR

REVISER'S BILLS

SB 580—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 8.0001, 24.121, 27.710, 57.085, 61.517, 106.07, 112.19, 112.191, 119.07, 154.01, 163.31776, 163.31777, 196.1983, 199.282, 210.20, 220.1501, 243.20, 267.173, 288.1067, 288.7091, 295.0185, 318.14, 322.051, 335.14, 341.8201, 381.0068, 381.60225, 395.2050, 400.0089, 400.23, 402.305, 402.3131, 403.706, 406.51, 409.1451, 409.815, 409.91196, 409.912, 411.01, 435.03, 440.102, 440.15, 445.0121, 467.0125, 470.002, 470.019, 470.036, 489.510, 496.404, 499.033, 499.051, 501.608, 507.05, 517.12, 553.73, 562.11, 562.111, 624.04, 624.303, 624.313, 624.317, 624.501, 624.504, 624.521, 624.523, 626.022, 626.112, 626.266, 626.321, 626.461, 626.733, 626.7354, 626.741, 626.753, 626.829, 626.852, 626.9541, 627.3111, 627.351, 628.255, 631.111, 633.01, 634.171, 634.420, 641.35, 642.034, 642.036, 642.045, 648.355, 679.703, 679.704, 765.5216, 765.522, 768.16, 768.17, 768.18, 790.06, 921.0022, 943.22, 943.66, 945.355, 1000.01, 1004.07, 1004.22, 1004.32, 1004.45, 1004.92, 1008.35, 1009.40, 1009.66, 1009.74, 1010.07, 1011.62, 1011.94, 1012.33, 1012.74, 1013.31, 1013.33, 1013.35, 1013.356, 1013.36, and 1013.68, F.S.; amending and transferring and renumbering s. 381.6025, F.S.; transferring and renumbering ss. 381.0602, 381.6021, 381.6022, 381.6023, 381.6024, and 381.6026, F.S.; reenacting ss. 121.055(4)(d), 316.640(1)(b), and 440.20(6), F.S.; and repealing ss. 20.12, 20.13, 288.109(10), 334.0445, 400.191(2)(b)10., and 420.504(9), F.S., pursuant to s. 11.242, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

—was read the second time by title. On motions by Senator Lee, by two-thirds vote **SB 580** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Bennett

Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith
Crist	Lee	Villalobos
Dawson	Lynn	Wasserman Schultz
Diaz de la Portilla	Margolis	Webster
Dockery	Miller	Wilson
Fasano	Peaden	Wise
Garcia	Posey	
Nays—None		

Margolis	Saunders	Wasserman Schultz
Miller	Sebesta	Webster
Peaden	Siplin	Wilson
Posey	Smith	Wise
Pruitt	Villalobos	
Nays—None		

SB 582—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 101.011, 101.27, 101.28, 101.29, 101.32, 101.33, 101.35, 101.36, 101.37, 101.38, 101.39, 101.40, 101.445, 101.45, 101.46, 101.47, 101.54, 101.55, 101.56, 110.207, 110.209, 206.9825(2), 253.01(2)(b), 257.17(4), 265.2861(1)(e)2., 318.21(2)(i), 324.202, 339.135(7)(g), 372.107(3), 373.59(1)(b), 408.036(3)(s), 443.231, 468.803(4), 504.21, 504.22, 504.23, 504.24, 504.25, 504.26, 504.27, 504.28, 504.29, 504.31, 504.32, 504.33, 504.34, 504.35, 504.36, 624.4075, 624.463, 624.469, 713.18(3), and 985.422, F.S., all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the Florida Statutes 2003 only through a reviser's bill duly enacted by the Legislature; amending ss. 324.201(4) and (5), 627.732(7), and 627.733(7), F.S., to conform to the repeal of s. 324.202, F.S.; and reenacting s. 206.9825(1), F.S., to conform to the reenactment and amendment of paragraph (b) of that subsection by s. 10, ch. 2002-218, Laws of Florida.

—was read the second time by title. On motions by Senator Lee, by two-thirds vote **SB 582** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	
Nays—None		

SB 584—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 411.226, 1011.31, 1011.42, and 1013.12, F.S., to conform to the directive in s. 1, ch. 93-199, Laws of Florida, to remove gender-specific references applicable to human beings from the Florida Statutes without substantive change in legal effect.

—was read the second time by title. On motions by Senator Lee, by two-thirds vote **SB 584** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Clary	Garcia
Alexander	Constantine	Geller
Argenziano	Cowin	Hill
Aronberg	Crist	Jones
Atwater	Dawson	Klein
Bennett	Diaz de la Portilla	Lawson
Bullard	Dockery	Lee
Carlton	Fasano	Lynn

SB 586—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 10.1001, 10.1002, 10.1003, 10.1004, 10.1005, 10.1006, 10.1007, and 10.1008, F.S., pursuant to s. 11.242, F.S.; deleting provisions providing for apportionment of the districts for the State Senate and House of Representatives that have been superseded.

—was read the second time by title. On motions by Senator Lee, by two-thirds vote **SB 586** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	
Nays—None		

SB 588—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 11.90, 61.13, 83.03, 211.31, 288.1222, and 350.115, F.S.; and repealing s. 408.0015, F.S.; pursuant to s. 11.242, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation.

—was read the second time by title. On motions by Senator Lee, by two-thirds vote **SB 588** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	
Nays—None		

TRUST FUND BILLS

SB 744—A bill to be entitled An act relating to trust funds; re-creating the Educational Certification and Service Trust Fund within the Depart-

ment of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 744** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 746—A bill to be entitled An act relating to trust funds; re-creating the Educational Aids Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 746** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 748—A bill to be entitled An act relating to trust funds; re-creating the Educational Media and Technology Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 748** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bullard	Dawson
Alexander	Carlton	Diaz de la Portilla
Argenziano	Clary	Dockery
Aronberg	Constantine	Fasano
Atwater	Cowin	Garcia
Bennett	Crist	Geller

Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis

Nays—None

Miller
Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin

Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

SB 750—A bill to be entitled An act relating to trust funds; terminating and re-creating the Dale Hickam Excellent Teaching Program Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 750** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 752—A bill to be entitled An act relating to trust funds; re-creating the Facility Construction Administrative Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 752** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 754—A bill to be entitled An act relating to trust funds; re-creating the State Student Financial Assistance Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 754** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 756—A bill to be entitled An act relating to trust funds; re-creating the Federal Rehabilitation Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 756** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 758—A bill to be entitled An act relating to trust funds; re-creating the Food and Nutrition Services Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 758** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peadar
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 760—A bill to be entitled An act relating to trust funds; re-creating the Grants and Donations Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 760** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 762—A bill to be entitled An act relating to trust funds; re-creating the Institutional Assessment Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 762** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 764—A bill to be entitled An act relating to trust funds; re-creating the University of Florida Institute of Food and Agricultural Sciences Relocation and Construction Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 764** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 766—A bill to be entitled An act relating to trust funds; re-creating the Student Loan Operating Trust Fund within the Department of Education without modification and placing it on the standard review cycle; carrying forward current balances and continuing current sources and uses thereof; repealing s. 1009.86(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 766** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 768—A bill to be entitled An act relating to trust funds; re-creating the Student Loan Operating Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 768** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peadar
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 770—A bill to be entitled An act relating to trust funds; re-creating the Projects, Contracts, and Grants Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 770** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 772—A bill to be entitled An act relating to trust funds; re-creating the Sophomore Level Test Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 772** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 774—A bill to be entitled An act relating to trust funds; re-creating the Student Loan Guaranty Reserve Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 774** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 776—A bill to be entitled An act relating to trust funds; re-creating the Teacher Certification Examination Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 776** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 778—A bill to be entitled An act relating to trust funds; re-creating the Textbook Bid Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 778** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 780—A bill to be entitled An act relating to trust funds; re-creating the Division of Administration Knott Data Center Working Capital Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 780** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 782—A bill to be entitled An act relating to trust funds; terminating and re-creating the Workers' Compensation Administration Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; repealing s. 1010.87(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 782** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 784—A bill to be entitled An act relating to trust funds; re-creating the Alec P. Courtelis Capital Facilities Matching Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 784** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 786—A bill to be entitled An act relating to trust funds; re-creating the Education and General Student and Other Fees Trust Fund within the Department of Education without modification and placing it on the standard review cycle; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 786** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 788—A bill to be entitled An act relating to trust funds; re-creating the Education and General Student and Other Fees Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 788** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 790—A bill to be entitled An act relating to trust funds; re-creating the University of Florida Agricultural Experiment Station Incidental Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 790** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 792—A bill to be entitled An act relating to trust funds; re-creating the University of Florida Agricultural Extension Service Incidental Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 792** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 794—A bill to be entitled An act relating to trust funds; re-creating the University of Florida Health Center Incidental Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 794** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 796—A bill to be entitled An act relating to trust funds; re-creating the University of Florida Institute of Food and Agricultural Sciences Relocation and Construction Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 796** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 798—A bill to be entitled An act relating to trust funds; re-creating the University of Florida Health Center Operations and Maintenance Trust Fund within the Department of Education without modification and placing it on the standard review cycle; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 798** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 800—A bill to be entitled An act relating to trust funds; re-creating the University of Florida Health Center Operations and Maintenance Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 800** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 802—A bill to be entitled An act relating to trust funds; re-creating the State University System Law Enforcement Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 802** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 804—A bill to be entitled An act relating to trust funds; terminating and re-creating the Law Enforcement Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 804** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 806—A bill to be entitled An act relating to trust funds; re-creating the Trust Fund for Major Gifts within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 806** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 808—A bill to be entitled An act relating to trust funds; re-creating the Board of Regents Operations and Maintenance Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 808** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 810—A bill to be entitled An act relating to trust funds; re-creating the Phosphate Research Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 810** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 812—A bill to be entitled An act relating to trust funds; re-creating the State University System Replacement Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 812** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 814—A bill to be entitled An act relating to trust funds; re-creating the University Concurrence Trust Fund within the Department of Education without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 814** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 816—A bill to be entitled An act relating to trust funds; amending s. 1013.63, F.S.; creating the University Concurrence Trust Fund within the Department of Education; providing for sources of funds and purposes; exempting the trust fund from service charges; providing for an annual carryforward of funds; providing for future legislative review and termination or re-creation of the trust fund; providing legislative intent with respect to identifying the trust fund and its source of revenue; providing a contingent effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 816** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 820—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 820** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Cowin	Klein
Alexander	Crist	Lawson
Argenziano	Dawson	Lee
Aronberg	Diaz de la Portilla	Lynn
Atwater	Dockery	Margolis
Bennett	Fasano	Miller
Bullard	Garcia	Peadar
Carlton	Geller	Posey
Clary	Hill	Pruitt
Constantine	Jones	Saunders

Sebesta	Villalobos	Wilson
Siplin	Wasserman Schultz	Wise
Smith	Webster	

Nays—None

SB 822—A bill to be entitled An act relating to trust funds; re-creating the Invasive Plant Control Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 822** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 824—A bill to be entitled An act relating to trust funds; re-creating the Air Pollution Control Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 824** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 826—A bill to be entitled An act relating to trust funds; re-creating the Drinking Water Revolving Loan Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 826** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 828—A bill to be entitled An act relating to trust funds; re-creating the Environmental Laboratory Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 828** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 830—A bill to be entitled An act relating to trust funds; re-creating the Florida Coastal Protection Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 830** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 832—A bill to be entitled An act relating to trust funds; re-creating the Conservation and Recreation Lands Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 832** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 834—A bill to be entitled An act relating to trust funds; re-creating the Ecosystem Management and Restoration Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 834** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 836—A bill to be entitled An act relating to trust funds; re-creating the Inland Protection Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 836** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 838—A bill to be entitled An act relating to trust funds; re-creating the Save Our Everglades Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 838** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 842—A bill to be entitled An act relating to trust funds; re-creating the Grants and Donations Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 842** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 844—A bill to be entitled An act relating to trust funds; re-creating the Internal Improvement Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 844** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 850—A bill to be entitled An act relating to trust funds; re-creating the Nonmandatory Land Reclamation Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 850** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 852—A bill to be entitled An act relating to trust funds; re-creating the Florida Permit Fee Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 852** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 854—A bill to be entitled An act relating to trust funds; re-creating the Solid Waste Management Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 854** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 856—A bill to be entitled An act relating to trust funds; re-creating the Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 856** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 858—A bill to be entitled An act relating to trust funds; re-creating the State Park Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 858** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 860—A bill to be entitled An act relating to trust funds; re-creating the Water Management Lands Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 860** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 864—A bill to be entitled An act relating to trust funds; re-creating the Working Capital Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 864** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 866—A bill to be entitled An act relating to trust funds; re-creating the Lake Okeechobee Protection Trust Fund within the Department of Environmental Protection without modification; carrying forward current balances and continuing current sources and uses thereof; repealing s. 373.45952(4), F.S., relating to termination and review of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 866** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 868—A bill to be entitled An act relating to trust funds; re-creating the Florida Citrus Advertising Trust Fund within the Department of Citrus without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 868** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

SB 870—A bill to be entitled An act relating to trust funds; re-creating the Motor Vehicle Operating Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 870** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 872—A bill to be entitled An act relating to trust funds; re-creating the Public Employees Relations Commission Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 872** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 874—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Department of Revenue without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 874** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 876—A bill to be entitled An act relating to trust funds; re-creating the Child Support Incentive Trust Fund within the Department of Revenue without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 876** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 878—A bill to be entitled An act relating to trust funds; re-creating the Certification Program Trust Fund within the Department of Revenue without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 878** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 880—A bill to be entitled An act relating to trust funds; re-creating the Child Support Enforcement Application and Program Revenue Trust Fund within the Department of Revenue without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 880** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 882—A bill to be entitled An act relating to trust funds; re-creating the Clerk of the Court Child Support Enforcement Collection System Trust Fund within the Department of Revenue without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 882** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 886—A bill to be entitled An act relating to trust funds; re-creating the Firefighters' Supplemental Compensation Trust Fund within the Department of Revenue without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 886** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Bennett

Bullard	Geller	Pruitt
Carlton	Hill	Saunders
Clary	Jones	Sebesta
Constantine	Klein	Siplin
Cowin	Lawson	Smith
Crist	Lee	Villalobos
Dawson	Lynn	Wasserman Schultz
Diaz de la Portilla	Margolis	Webster
Dockery	Miller	Wilson
Fasano	Peaden	Wise
Garcia	Posey	

Nays—None

SB 888—A bill to be entitled An act relating to trust funds; re-creating the Grants and Donations Trust Fund within the Department of Revenue without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 888** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 890—A bill to be entitled An act relating to trust funds; re-creating the Intangible Tax Trust Fund within the Department of Revenue without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 890** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 892—A bill to be entitled An act relating to trust funds; re-creating the Working Capital Trust Fund within the Department of Revenue

without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 892** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 894—A bill to be entitled An act relating to trust funds; terminating and re-creating the Department of Revenue Clerks of the Court Trust Fund within the Department of Revenue without modification; carrying forward current balances and continuing current sources and uses thereof; repealing s. 213.131(2), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 894** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 896—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 896** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Atwater	Clary
Alexander	Bennett	Constantine
Argenziano	Bullard	Cowin
Aronberg	Carlton	Crist

Dawson	Lawson	Sebesta
Diaz de la Portilla	Lee	Siplin
Dockery	Lynn	Smith
Fasano	Margolis	Villalobos
Garcia	Miller	Wasserman Schultz
Geller	Peaden	Webster
Hill	Posey	Wilson
Jones	Pruitt	Wise
Klein	Saunders	

Nays—None

SB 898—A bill to be entitled An act relating to trust funds; re-creating the Alcoholic Beverage and Tobacco Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 898** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 900—A bill to be entitled An act relating to trust funds; re-creating the Cigarette Tax Collection Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 900** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 902—A bill to be entitled An act relating to trust funds; re-creating the Child Labor Law Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current

balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 902** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 904—A bill to be entitled An act relating to trust funds; re-creating the Department of Business and Professional Regulation Tobacco Settlement Trust Fund within that department without modification; carrying forward current balances and continuing current sources and uses thereof; repealing s. 569.205(3), relating to termination and review of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 904** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 906—A bill to be entitled An act relating to trust funds; terminating and re-creating the Department of Business and Professional Regulation Tobacco Settlement Trust Fund within that department without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 906** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bennett	Cowin
Alexander	Bullard	Crist
Argenziano	Carlton	Dawson
Aronberg	Clary	Diaz de la Portilla
Atwater	Constantine	Dockery

Fasano	Lynn	Siplin
Garcia	Margolis	Smith
Geller	Miller	Villalobos
Hill	Peaden	Wasserman Schultz
Jones	Posey	Webster
Klein	Pruitt	Wilson
Lawson	Saunders	Wise
Lee	Sebesta	

Nays—None

SB 908—A bill to be entitled An act relating to trust funds; re-creating the Crew Chief Registration Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 908** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 910—A bill to be entitled An act relating to trust funds; re-creating the Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 910** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 912—A bill to be entitled An act relating to trust funds; re-creating the Hotel and Restaurant Trust Fund within the Department of Business and Professional Regulation without modification; carrying for-

ward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 912** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 914—A bill to be entitled An act relating to trust funds; re-creating the Pari-mutuel Wagering Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 914** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 916—A bill to be entitled An act relating to trust funds; re-creating the Professional Regulation Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 916** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bullard	Dawson
Alexander	Carlton	Diaz de la Portilla
Argenziano	Clary	Dockery
Aronberg	Constantine	Fasano
Atwater	Cowin	Garcia
Bennett	Crist	Geller

Hill	Miller	Smith
Jones	Peaden	Villalobos
Klein	Posey	Wasserman Schultz
Lawson	Pruitt	Webster
Lee	Saunders	Wilson
Lynn	Sebesta	Wise
Margolis	Siplin	

Nays—None

SB 918—A bill to be entitled An act relating to trust funds; terminating and re-creating the Federal Law Enforcement Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 918** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 920—A bill to be entitled An act relating to trust funds; terminating and re-creating the Florida Mobile Home Relocation Trust Fund within the Department of Business and Professional Regulation without modification; carrying forward current balances and continuing current sources and uses thereof; repealing s. 723.06115(3), F.S., relating to termination and review of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 920** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 922—A bill to be entitled An act relating to trust funds; terminating and re-creating the Workers' Compensation Administration Trust Fund within the Department of Business and Professional Regulation

without modification; carrying forward current balances and continuing current sources and uses thereof; repealing s. 440.501(3), F.S., relating to termination and review of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Clary, by two-thirds vote **SB 922** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 926—A bill to be entitled An act relating to trust funds; re-creating the Brownfield Property Ownership Clearance Assistance Revolving Loan Trust Fund within the Executive Office of the Governor without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Webster, by two-thirds vote **SB 926** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 928—A bill to be entitled An act relating to trust funds; terminating and re-creating the Federal Law Enforcement Trust Fund within the Department of Military Affairs without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Webster, by two-thirds vote **SB 928** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Atwater	Clary
Alexander	Bennett	Constantine
Argenziano	Bullard	Cowin
Aronberg	Carlton	Crist

Dawson	Lawson	Sebesta
Diaz de la Portilla	Lee	Siplin
Dockery	Lynn	Smith
Fasano	Margolis	Villalobos
Garcia	Miller	Wasserman Schultz
Geller	Peaden	Webster
Hill	Posey	Wilson
Jones	Pruitt	Wise
Klein	Saunders	

Nays—None

CS for SB 930—A bill to be entitled An act relating to trust funds; terminating and re-creating the Emergency Response Trust Fund within the Department of Military Affairs without modification; carrying forward current balances and continuing current sources and uses thereof; repealing s. 250.601(4), F.S., which terminates the trust fund on July 1, 2006; providing an effective date.

—was read the second time by title. On motions by Senator Webster, by two-thirds vote **CS for SB 930** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 932—A bill to be entitled An act relating to trust funds; terminating and re-creating the Federal Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Webster, by two-thirds vote **SB 932** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 936—A bill to be entitled An act relating to trust funds; re-creating the Capital Collateral Trust Fund within the Justice Administrative

Commission without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Smith, by two-thirds vote **SB 936** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 938—A bill to be entitled An act relating to trust funds; re-creating the Consumer Frauds Trust Fund within the Justice Administrative Commission without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Smith, by two-thirds vote **SB 938** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 940—A bill to be entitled An act relating to trust funds; re-creating the Court Education Trust Fund within the state courts system without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Smith, by two-thirds vote **SB 940** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bullard	Dawson
Alexander	Carlton	Diaz de la Portilla
Argenziano	Clary	Dockery
Aronberg	Constantine	Fasano
Atwater	Cowin	Garcia
Bennett	Crist	Geller

Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis
Nays—None

Miller
Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin

Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President
Alexander
Argenziano
Aronberg
Atwater
Bennett
Bullard
Carlton
Clary
Constantine
Cowin
Crist
Dawson

Diaz de la Portilla
Dockery
Fasano
Garcia
Geller
Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis
Miller

Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin
Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

Nays—None

SB 942—A bill to be entitled An act relating to trust funds; re-creating the Family Courts Trust Fund within the state courts system without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Smith, by two-thirds vote **SB 942** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President
Alexander
Argenziano
Aronberg
Atwater
Bennett
Bullard
Carlton
Clary
Constantine
Cowin
Crist
Dawson

Diaz de la Portilla
Dockery
Fasano
Garcia
Geller
Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis
Miller

Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin
Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

Nays—None

SB 944—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Department of Legal Affairs without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **SB 944** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President
Alexander
Argenziano
Aronberg
Atwater
Bennett
Bullard
Carlton
Clary
Constantine
Cowin
Crist
Dawson

Diaz de la Portilla
Dockery
Fasano
Garcia
Geller
Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis
Miller

Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin
Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

Nays—None

SB 948—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the Department of Corrections without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **SB 948** was read the third time by title, passed by the

SB 950—A bill to be entitled An act relating to trust funds; re-creating the Forfeiture and Investigative Support Trust Fund within the Department of Law Enforcement without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **SB 950** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President
Alexander
Argenziano
Aronberg
Atwater
Bennett
Bullard
Carlton
Clary
Constantine
Cowin
Crist
Dawson

Diaz de la Portilla
Dockery
Fasano
Garcia
Geller
Hill
Jones
Klein
Lawson
Lee
Lynn
Margolis
Miller

Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin
Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

Nays—None

SB 952—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the Department of Law Enforcement without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **SB 952** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President
Alexander
Argenziano
Aronberg
Atwater
Bennett
Bullard
Carlton
Clary
Constantine
Cowin

Crist
Dawson
Diaz de la Portilla
Dockery
Fasano
Garcia
Geller
Hill
Jones
Klein
Lawson

Lee
Lynn
Margolis
Miller
Peaden
Posey
Pruitt
Saunders
Sebesta
Siplin
Smith

Villalobos Webster Wise
 Wasserman Schultz Wilson
 Nays—None

SB 818—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Education; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; declaring the findings of the Legislature that specified trust funds within the Department of Education are exempt from the termination requirements of s. 19(f), Art. III of the State Constitution; renaming specified trust funds within the Department of Education; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **SB 818** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

SB 954—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Legal Affairs and the Department of Corrections; providing for disposition of balances in and revenues of such trust funds; declaring the findings of the Legislature that a specified trust fund within the Department of Corrections is exempt from the termination requirements of s. 19(f), Art. III of the State Constitution; amending s. 501.2101, F.S.; deleting provisions relating to the Consumer Frauds Trust Fund; providing for the deposit of moneys received pursuant to the regulation of deceptive and unfair trade practices into the Legal Affairs Revolving Trust Fund rather than the Consumer Frauds Trust Fund; amending ss. 501.059, 501.143, and 501.2077, F.S., to conform; providing an effective date.

—was read the second time by title.

The Committee on Appropriations recommended the following amendments which were moved by Senator Crist and adopted:

Amendment 1 (270460)—On page 1, lines 25-28, delete those lines and insert:

(a) *Within the Department of Legal Affairs:*

1. *The Florida Motor Vehicle Theft Prevention Trust Fund, FLAIR number 41-2-051.*

2. *The Consumer Fraud Trust Fund, FLAIR number 41-2-127.*

(b) *Within the Department of Corrections:*

1. *The Florida Agricultural Exposition Trust Fund, FLAIR number 70-2-298.*

2. *The Inmate Welfare Trust Fund, FLAIR number 70-2-523.*

Amendment 2 (452782)(with title amendment)—On page 4, between lines 16 and 17, insert:

Section 7. Subsection (5) of section 944.516, Florida Statutes, is amended to read:

944.516 Money or other property received for personal use or benefit of inmate; deposit; disposition of unclaimed trust funds.—The Department of Corrections shall protect the financial interest of the state with respect to claims which the state may have against inmates in state institutions under its supervision and control and shall administer money and other property received for the personal benefit of such inmates. In carrying out the provisions of this section, the department may delegate any of its enumerated powers and duties affecting inmates of an institution to the warden or regional director who shall personally, or through designated employees of his or her personal staff under his or her direct supervision, exercise such powers or perform such duties.

(5) When an inmate is transferred between department facilities, is released from the custody of the department, dies, or escapes during incarceration, and the inmate has an unexpended inmate trust fund account balance of less than \$1, that balance shall be transferred to the ~~General Revenue~~ ~~Inmate Welfare Trust~~ Fund.

Section 8. Subsection (2) of section 944.803, Florida Statutes, is amended to read:

944.803 Faith-based programs for inmates.—

(2) It is the intent of the Legislature that the Department of Corrections and the private vendors operating private correctional facilities shall continuously:

(a) Measure recidivism rates for inmates who have participated in religious programs;

(b) Increase the number of volunteers who minister to inmates from various faith-based institutions in the community;

(c) Develop community linkages with churches, synagogues, mosques, and other faith-based institutions to assist inmates in their release back into the community; and

(d) Fund through the use of *annual appropriations, in department facilities, and through inmate welfare trust funds* pursuant to s. 945.215, *in private facilities*, an adequate number of chaplains and support staff to operate faith-based programs in correctional institutions.

Section 9. Paragraph (a) of subsection (8) of section 945.091, Florida Statutes, is amended to read:

945.091 Extension of the limits of confinement; restitution by employed inmates.—

(8)(a) The department is authorized to levy fines only through disciplinary reports and only against inmates placed on extended limits of confinement. Major and minor infractions and their respective punishments for inmates placed on extended limits of confinement shall be defined by the rules of the department, provided that any fine shall not exceed \$50 for each infraction deemed to be minor and \$100 for each infraction deemed to be major. Such fines shall be deposited in the ~~General Revenue~~ ~~Inmate Welfare Trust~~ Fund, and a receipt shall be given to the inmate.

Section 10. Subsection (1) of section 945.215, Florida Statutes, is amended to read:

945.215 Inmate welfare and employee benefit trust funds.—

(1) ~~INMATE PURCHASES WELFARE TRUST FUND; DEPARTMENT OF CORRECTIONS.—~~

(a) ~~From the Inmate Welfare Trust Fund constitutes a trust held by the department for the benefit and welfare of inmates incarcerated in correctional facilities operated directly by the department and for visitation and family programs and services in such correctional facilities. Funds shall be credited to the trust fund as follows:~~

1. ~~All funds held in any auxiliary, canteen, welfare, or similar fund in any correctional facility operated directly by the department.~~

2. ~~All net proceeds from operating inmate canteens, vending machines used primarily by inmates and visitors, hobby shops, and other such facilities must be deposited in the General Revenue Fund; however, funds necessary to purchase items for resale at inmate canteens and~~

vending machines must be deposited into local bank accounts designated by the department.

(b)3. All proceeds from contracted telephone commissions *must be deposited in the General Revenue Fund*. The department shall develop and update, as necessary, administrative procedures to verify that:

a. Contracted telephone companies accurately record and report all telephone calls made by inmates incarcerated in correctional facilities under the department's jurisdiction;

b. Persons who accept collect calls from inmates are charged the contracted rate; and

c. The department receives the contracted telephone commissions.

(c)4. Any funds that may be assigned by inmates or donated to the department by the general public or an inmate service organization *must be deposited in the General Revenue Fund*; however, the department shall not accept any donation from, or on behalf of, any individual inmate.

(d)5. All proceeds from the following sources *must be deposited in the General Revenue Fund*:

a. The confiscation and liquidation of any contraband found upon, or in the possession of, any inmate;

b. Disciplinary fines imposed against inmates;

c. Forfeitures of inmate earnings; and

d. Unexpended balances in individual inmate trust fund accounts of less than \$1.

6. ~~All interest earnings and other proceeds derived from investments of funds deposited in the trust fund. In the manner authorized by law for fiduciaries, the secretary of the department, or the secretary's designee, may invest any funds in the trust fund when it is determined that such funds are not needed for immediate use.~~

(b) ~~Funds in the Inmate Welfare Trust Fund must be used exclusively for the following purposes at correctional facilities operated directly by the department:~~

1. ~~To operate inmate canteens and vending machines, including purchasing items for resale at inmate canteens and vending machines; employing personnel and inmates to manage, supervise, and operate inmate canteens and vending machines; and covering other operating and fixed capital outlay expenses associated with operating inmate canteens and vending machines;~~

2. ~~To employ personnel to manage and supervise the proceeds from telephone commissions;~~

3. ~~To develop, implement, and maintain the medical copayment accounting system;~~

4. ~~To provide literacy programs, vocational training programs, and educational programs that comply with standards of the Department of Education, including employing personnel and covering other operating and fixed capital outlay expenses associated with providing such programs;~~

5. ~~To operate inmate chapels, faith-based programs, visiting pavilions, visiting services and programs, family services and programs, libraries, and law libraries, including employing personnel and covering other operating and fixed capital outlay expenses associated with operating inmate chapels, faith-based programs, visiting pavilions, visiting services and programs, family services and programs, libraries, and law libraries;~~

6. ~~To provide for expenses associated with various inmate clubs;~~

7. ~~To provide for expenses associated with legal services for inmates;~~

8. ~~To provide inmate substance abuse treatment programs and transition and life skills training programs, including employing personnel and covering other operating and fixed capital outlay expenses associated with providing such programs;~~

9. ~~To provide for the purchase, rental, maintenance, and repair of electronic or audiovisual equipment, unless otherwise prohibited by this chapter; and~~

10. ~~To provide for the purchase, rental, maintenance, and repair of wellness equipment, unless otherwise prohibited by this chapter.~~

(c) ~~The Legislature shall annually appropriate the funds deposited in the Inmate Welfare Trust Fund. It is the intent of the Legislature that total annual expenditures for providing literacy programs, vocational training programs, and educational programs exceed the combined total annual expenditures for operating inmate chapels, faith-based programs, visiting pavilions, visiting services and programs, family services and programs, libraries, and law libraries, covering expenses associated with inmate clubs, and providing inmate substance abuse treatment programs and transition and life skills training programs.~~

(d) ~~Funds in the Inmate Welfare Trust Fund or any other fund may not be used to purchase weight training equipment, to purchase cable-television service for recreation purposes, or to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic media or equipment used primarily for recreation purposes. This paragraph does not preclude the purchase or rental of electronic or audiovisual equipment or services for inmate training or educational programs.~~

(e) Items for resale at inmate canteens and vending machines maintained at the correctional facilities shall be priced comparatively with like items for retail sale at fair market prices.

(f) Notwithstanding any other provision of law, inmates with sufficient balances in their individual inmate bank trust fund accounts, after all debts against the account are satisfied, shall be allowed to request a weekly draw of up to an amount set by the Secretary of Corrections, not to exceed \$100, to be expended for personal use on canteen and vending machine items.

(g) ~~The department shall annually compile a report that specifically documents Inmate Welfare Trust Fund receipts and expenditures. This report shall be compiled at both the statewide and institutional levels. The department must submit this report for the previous fiscal year by September 1 of each year to the chairs of the appropriate substantive and fiscal committees of the Senate and the House of Representatives and to the Executive Office of the Governor.~~

Section 11. *Section 945.21502, Florida Statutes, is repealed.*

Section 12. Paragraph (c) of subsection (3) of section 945.6037, Florida Statutes, is amended to read:

945.6037 Nonemergency health care; inmate copayments.—

(3)

(c) The expenses and operating capital outlay required to develop, implement, and maintain the medical copayment accounting system must be appropriated *by the Legislature from the Inmate Welfare Trust Fund*. The fiscal assistants and accountants at the correctional facilities funded from the Inmate Welfare Trust Fund are, in addition to their duties relating to the inmate canteen and bank, responsible for managing the medical copayment system.

Section 13. Paragraph (a) of subsection (6) of section 958.09, Florida Statutes, is amended to read:

958.09 Extension of limits of confinement.—

(6)(a) The department is authorized to levy fines only through disciplinary reports and only against inmates placed on extended limits of confinement. Major and minor infractions and their respective punishments for inmates placed on extended limits of confinement shall be defined by the rules of the department, except that any fine shall not exceed \$50 for each infraction deemed to be minor and \$100 for each infraction deemed to be major. Such fines shall be deposited in the *General Revenue Inmate Welfare Trust Fund*, and a receipt shall be given to the inmate.

Section 14. *Chapter 2002-123, Laws of Florida, which recreates the Inmate Welfare Trust Fund effective November 4, 2004, is repealed.*

Section 15. Section 320.08046, Florida Statutes, is amended to read:

320.08046 Surcharge on license tax; General Revenue Fund.—There is levied on each license tax imposed under s. 320.08, except those set forth in s. 320.08(11), a surcharge in the amount of \$1, which shall be collected in the same manner as the license tax. Of the proceeds of the license tax surcharge, 58 40 percent shall be deposited into the General Revenue Fund *and*, 42 percent shall be deposited into the Grants and Donations Trust Fund in the Department of Juvenile Justice to fund the community juvenile justice partnership grants program, ~~and 18 percent shall be deposited into the Florida Motor Vehicle Theft Prevention Trust Fund to fund motor vehicle theft prevention programs pursuant to s. 860.158.~~

Section 16. Paragraph (e) of subsection (13) of section 713.78, Florida Statutes, is amended to read:

713.78 Liens for recovering, towing, or storing vehicles and vessels.—

(13)

(e) When a wrecker operator files a notice of wrecker operator's lien under this subsection, the department shall charge the wrecker operator a fee of \$2, which shall be deposited into the *General Revenue Florida Motor Vehicle Theft Prevention Trust Fund* established under s. 860.158. A service charge of \$2.50 shall be collected and retained by the tax collector who processes a notice of wrecker operator's lien.

Section 17. *Present subsection (3) of section 860.153, Florida Statutes, is repealed and present subsection (4) of that section is redesignated as subsection (3).*

Section 18. Section 860.158, Florida Statutes, as amended by chapter 2002-402, Laws of Florida, is amended to read:

860.158 Florida Motor Vehicle Theft Prevention *Authority Expenditures Trust Fund*.—

~~(1) There is hereby established within the Department of Legal Affairs the Florida Motor Vehicle Theft Prevention Trust Fund, which shall be administered by the executive director of the authority at the direction of the board. All interest earned from the investment or deposit of moneys accumulated in the trust fund shall be deposited in the trust fund. The trust fund shall be funded from the surcharge collected under s. 320.08046.~~

~~(2)(a) Money appropriated to the authority in the trust fund shall be expended as follows:~~

~~(1)1. To pay the authority's cost to administer the board and the trust fund.~~

~~(2)2. To achieve the purposes and objectives of this act, which may include, but not be limited to, the following:~~

~~(a)1. To provide financial support to law enforcement and correctional agencies, prosecutors, and the judiciary for programs designed to reduce motor vehicle theft and to improve the administration of motor vehicle theft laws.~~

~~(b)2. To provide financial support for federal and state agencies, units of local government, corporations, and neighborhood, community, or business organizations for programs designed to reduce motor vehicle theft and to improve the administration of motor vehicle theft laws.~~

~~(c)3. To provide financial support to conduct programs designed to inform owners of motor vehicles about the financial and social cost of motor vehicle theft and to suggest to those owners methods for preventing motor vehicle theft.~~

~~(d)4. To provide financial support for plans, programs, and projects consistent with the purposes of this act.~~

~~(b) For the 2002-2003 fiscal year only, and notwithstanding s. 320.08046, the use of funds allocated to the Florida Motor Vehicle Theft Prevention Trust Fund may also be as provided in the General Appropriations Act. This paragraph expires July 1, 2003.~~

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 19, after the semicolon (;) insert: repealing s. 945.21502, F.S.; repealing the Inmate Welfare Trust Fund in the Department of Corrections; amending ss. 944.516, 944.803, 945.091, 945.215, 945.6037, F.S., to conform; providing for revenues of the Inmate Welfare Trust Fund to be deposited in the General Revenue Fund; repealing ch. 2002-123, Laws of Florida; repealing the future re-creation of the Inmate Welfare Trust Fund; amending s. 860.158, F.S.; repealing the Florida Motor Vehicle Theft Prevention Trust Fund in the Department of Legal Affairs; amending ss. 320.08046, 713.78, F.S., to conform; providing for revenues of the fund to be deposited in the General Revenue Fund;

On motions by Senator Crist, by two-thirds vote **SB 954** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Saunders
Atwater	Geller	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise
Dawson	Miller	

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Sebesta, by two-thirds vote **SB 2** was withdrawn from the committee of reference and further consideration.

On motion by Senator Lawson, by two-thirds vote **SB 6** was withdrawn from the committee of reference and further consideration.

On motion by Senator Pruitt, by two-thirds vote **SB 12** was withdrawn from the committee of reference and further consideration.

On motion by Senator Webster, by two-thirds vote **SB 1746** was withdrawn from further consideration.

REPORTS OF COMMITTEES

REPORT OF SELECT COMMITTEE

March 3, 2003

The Honorable James E. "Jim" King, Jr.
President, The Florida Senate

Dear Mr. President:

I am pleased to transmit this letter to you which contains the report and recommendations of the Select Committee on Automobile Insurance/PIP Reform. On December 5, 2002, you appointed the Select Committee to address the problems with Personal Injury Protection insurance which range from fraud and abuse to the soaring costs that exist within this automobile insurance market. The Select Committee has taken great care to follow your charge and seek input from the various stakeholders involved.

The Select Committee on Automobile Insurance/PIP Reform met five times during January and February. At the first four meetings the committee heard testimony and information from the interested parties, the Department of Financial Services and the Department of Health. We obtained written input before, during and after our meetings and received testimony from a wide variety of interests: insurance companies,

trial lawyers, fraud investigators, medical consultants, agency regulators, and representatives from the hospital, chiropractic, medical, trial, and insurance associations. We received many written proposals for statutory changes and funding increases.

In the testimony we received, there was a consensus that the Legislature accomplished important reforms with the passage of automobile insurance legislation in both the 1998 and 2001 Sessions (ch. 98-270; ch. 2001-271; and, ch. 2001-163, L.O.F.). Those reforms included:

- Requiring providers to submit statements and bills for medical services in a timely fashion on specified forms with procedural codes;
- Revising geographical requirements for independent medical examinations (IMEs) of claimants;
- Requiring health care clinics to register with the Department of Health and have a licensed physician as medical director;
- Adopting a medical fee schedule for specified procedures;
- Curtailing the activities of "brokers," who improperly received compensation from insurers or insureds for the use of medical equipment. The improper activities of brokers were defined and charges for services rendered by such persons were made noncompensable and unenforceable;
- Requiring, as a condition precedent to filing actions for non-payment of PIP claims, that insurers receive a 7 day notice of the intent to litigate via a "demand letter;"
- Elevating the ranking of specific insurance fraud crimes under the Offense Severity Ranking Chart law and increasing penalties for other insurance related crimes;
- Limiting access to vehicle accident (crash) reports so that illegal solicitation activity could be curtailed; and,
- Creating a civil cause of action to allow insurers to sue a person who, in connection with a PIP claim, is found guilty of, or plead guilty or nolo contendere (regardless of adjudication of guilt) to, insurance fraud, patient brokering, or kickbacks.

However, members agreed that the above reforms did not go far enough in attacking the problems of fraud and abuse occurring within the PIP system. There was also a consensus among the members that the goals behind the Legislature's adoption of the PIP no-fault law in 1971 (ch. 71-252, L.O.F.) have been significantly compromised. Those goals were to replace the existing tort system as a means to quickly and efficiently compensate an accident victim regardless of fault, reduce the volume of lawsuits by eliminating minor injuries from the tort system, provide a better distribution of the insurance premium dollar, and reduce overall motor vehicle insurance costs.

After hearing the testimony, all the members of the Select Committee agreed that:

- Fraud continues to permeate the PIP insurance market and constitutes a serious problem in Florida.
- According to the Division of Insurance Fraud, fraud adds as much as \$240 to the average Florida family's auto insurance premiums, annually.
- Over the past 5 years, the average Florida PIP claim rose 33 percent (from \$4,287 to \$5,687), and PIP and BI (bodily injury liability) loss costs (amount of premium needed per insured vehicle to pay claims) have escalated by 35 percent and 18 percent, respectively;
- As costs escalate, as many as 22 percent of Florida drivers choose not to carry PIP insurance, according to the Department of Highway Safety and Motor Vehicles.
- Florida is the 4th highest in terms of both PIP and BI loss costs among the 13 states which have no-fault (PIP) laws.
- Florida's PIP coverage benefit of \$10,000 has not kept up with inflation and is worth \$3,730 in today's dollars based on the Consumer Price Index. Of the other no-fault states, six states provide higher PIP coverage benefits than Florida, two states offer the same coverage, and four states require less coverage benefits than Florida.
- Medically inappropriate diagnostic testing, inflated charges, and over-utilization of treatments by certain medical providers greatly impact PIP and BI insurance costs.
- In certain cases, both insurers and providers are improperly and systematically changing codes which apply to the provision of medical services. Furthermore, in some instances, insurance companies improperly request physicians preparing independent medical examination (IMEs) reports to change or modify the report.
- According to representatives with the Department of Health, 2,404 health care clinics are currently registered with the Department,

however, the agency lacks the statutory authority or the necessary resources to perform adequate background investigations of clinic owners or to investigate and inspect clinics.

Select Committee Recommendations

The Select Committee on Automobile Insurance/PIP Reform makes the following recommendations which are summarized below. However, there were some PIP issues on which the members of the Select Committee did not reach agreement and they are enumerated at the end of this letter (Outstanding Issues). These matters are very important and warrant further discussion and deliberation, but there was not sufficient time for the members to thoroughly debate these issues in order to reach a general consensus.

Automobile Insurance Fraud

The Select Committee heard testimony from representatives with the Division of Insurance Fraud who stated that the vast majority of PIP fraud involves solicitation of accident victims and staged accidents. Organized fraud rings use "runners" to obtain accident reports from law enforcement agencies and then solicit persons involved in these accidents on behalf of unscrupulous attorneys and doctors. Once recruited, the accident victim is sent to an attorney who refers the person to a medical provider or clinic where he or she receives a battery of unnecessary tests. According to the Division of Insurance Fraud, most of these tests are highly profitable, but of little or no use or validity. These tests often exhaust the insured's \$10,000 PIP coverage benefit and position the attorney to improperly sue the insurer. Other rings "stage" vehicular accidents in order to defraud the PIP system.

The Select Committee believes that the Legislature should consider enacting reforms to combat fraud, enhance penalties for those found guilty of "milking" the automobile insurance system, and provide investigative resources to the Division of Insurance Fraud within the Department of Financial Services. Specifically, we recommend:

• Solicitation of Accident Victims:

- Provide that solicitation, for the purpose of making a PIP claim with "intent to defraud," is a second-degree felony (increased from third-degree).
- Provide that any solicitation, for the purpose of making a PIP claim within 60 days of a vehicle accident (except for advertising), is a third-degree felony.
- Provide that any solicitation, for the purpose of making a PIP claim more than 60 days after an accident, by specified professionals (lawyers, chiropractors, medical providers, or owners or medical directors of clinics), at the victim's residence in person or by telephone contact, is a third-degree felony.
- Provide that "charges" for services rendered by a person who violates the above solicitation provisions are noncompensable by the insurer or insured.
- Amend the Offense Severity Ranking Chart law (s. 921.0024, F.S.) to increase the ranking for the following crimes: soliciting an accident victim with intent to defraud; unlawfully obtaining or using a confidential crash report; filing a false motor vehicle insurance application; operating an unregistered clinic or filing false registration information; and, organizing, planning, or participating in an intentional motor vehicle collision.

• Staged Accidents:

- Provide that it is a second-degree felony to organize, plan, or participate in an intentional motor vehicle collision; require a 2 year minimum mandatory sentence.

• False Application/Insurance Card:

- Upgrade the penalty from a first-degree misdemeanor to a third-degree felony for filing a false motor vehicle application.
- Provide that it is a third-degree felony to present a false or fraudulent motor vehicle insurance card.

• Crash Reports:

- Require presentation of proper identification to prove identity and entitlement to a confidential vehicle crash report.
- Require persons who obtain confidential vehicle crash reports to sign a sworn statement stating that the information in the report will not be used for any commercial solicitation of an accident victim or knowingly disclosed to a third party for the purpose of solicitation. Violating such a provision is a third-degree felony.

• **Minimum Mandatory Sentences for Insurance Fraud:**

- Require minimum mandatory sentences for insurance fraud which are based on the value of the property subject to the fraud violation. (Note: This recommendation would apply to all types of insurance fraud, not just motor vehicle fraud.)

• **Resources:**

- Increase funding to provide resources to the Division of Insurance Fraud to investigate motor vehicle insurance fraud. Also, provide funding to the Office of the Statewide Prosecutor and the State Attorneys' offices to prosecute motor vehicle insurance fraud. Consider requiring a portion of the auto insurance policy fee collected by agents to be used for this purpose.

Medical Clinics

The Select Committee heard testimony from the Department of Health that health care clinic registration requirements need to be tightened to prevent unscrupulous owners and others connected with such clinics from defrauding the PIP system. Representatives with that agency acknowledge that they primarily regulate professions, not health care entities, and that they lack the requisite expertise, investigative staff, and enforcement authority to adequately regulate clinics. The Select Committee believes that clinic regulation is a critical component in fighting PIP fraud and abuse and that resources be committed to the appropriate oversight agency. We therefore recommend:

- The Legislature require that the Agency for Health Care Administration (AHCA) be provided the financial and personnel resources to regulate health care clinics.
- Tighten overall clinic registration provisions by allowing AHCA to do background investigations and perform on-site unannounced inspections, utilize emergency authority to close clinics for specific violations, and utilize other administrative tools to regulate clinic activity. Require clinics to amend their registrations if material changes occur.
- Mandate that clinics allow full and complete access by AHCA to the premises and to all records.
- Require owners of clinics (no matter what percentage of ownership), clinic medical directors, or clinic employees who hold medical licenses, to have had no prior disciplinary, civil, or criminal sanctions imposed within the past 5 years. If a sanction has been imposed within the past 5 years, such individual or entity may not own, serve as medical director, or be an employee of a clinic. If such individual or entity has been convicted of a felony in any jurisdiction, then they must show that their civil rights have been restored prior to their becoming a clinic owner, medical director, or employee. If a disciplinary, civil, or criminal sanction is discovered after registration, the clinic must dismiss the offender, face sanctions, and amend its registration.
- Allow entities which are currently exempt under the clinic law to make an expedited filing with AHCA of their exempt status so that insurers and others can easily verify their status on-line.
- Require registration of all mobile health care clinics.
- Make it a third-degree felony for any person who knowingly files a false or misleading clinic registration application or who files false or misleading information pertaining to the registration.

Medical Fee Schedule, Utilization Protocols, Insurer and Provider Issues

Considerable testimony was received regarding abusive and fraudulent practices on the part of those health care providers who over-use or misuse diagnostic tests, inflate charges for such tests or procedures, bill for services never rendered, or make unnecessary referrals to other disciplines. Some of these providers render services or supplies without the proper license or provide services in violation of the applicable law, while others forward statements to the insurer and request payment without providing any medical records. The testimony and evidence indicates that such problems generally do not occur in the hospital setting, but are much more likely to occur in clinics or physician offices.

Testimony was provided that in certain cases, both insurers and providers are improperly and systematically changing codes which apply to the provision of medical services. Furthermore, in some instances, insurance companies improperly request physicians preparing independent medical examination (IMEs) reports to change or modify the report.

In order to address these concerns, the Select Committee recommends:

- The Legislature should adopt a medical fee schedule for all treatments under PIP and tie it to a specific percentage above the Medicare fee schedule. Provide authority for AHCA to establish a schedule for procedures not specifically addressed in the Medicare fee schedule. Exempt hospitals from the fee schedule.
- Authorize AHCA, in conjunction with the appropriate medical boards, to establish a list of diagnostic tests that are specifically deemed to be not medically necessary.
- Clarify that insurers and their insureds are not required to pay any statement or bill that does not meet the specified medical fee schedule, is fraudulent, not medically necessary, or does not meet the material requirements applicable to properly completed billing statements.
- Authorize AHCA, in conjunction with the appropriate medical boards, to establish PIP utilization guidelines, while assuring appropriate patient care, for medical treatments. Exempt hospitals from this provision.
- Clarify that insurers may not improperly downcode or bundle billing of codes (services) with the intent to deny reimbursement otherwise due. Also, clarify that providers may not improperly upcode or unbundle the billing of services.
- Require insurers upon receipt of a first billing by any provider to verify and keep on record the name of all providers and their license or clinic registration numbers.
- Prohibit insurers or their employees from improperly requiring physicians to materially change IME reports. Provide that such a violation constitutes an unfair insurance trade practice and is a third-degree felony.
- Mandate that insurers rotate, on a yearly basis, physicians who prepare IME reports and that physicians maintain, for at least 3 years, copies of all examination reports as medical records and the records of all payments for such exams and reports.
- There should be strong financial incentives to crack down on PIP fraud which are similar to the provisions pertaining to the payment of health insurance claims under s. 627.613(7), F.S. For example, under current law, a health insurer must investigate any claim of improper billing by a medical provider based upon written notification by an insured. If the insurer determines that the insured has been improperly billed, the insurer must notify the insured and the provider of its findings and must reduce the amount of payment to the provider by the amount determined to be improperly billed. If the reduction is made due to such written notification by the insured, the health insurer must pay to the insured 20 percent of the amount of the reduction up to \$500. It is recommended that a similar provision apply to PIP insurers and that a higher percentage should be paid to the insured if the PIP provider is arrested due to the improper billing.
- Clarify that Medicare Part B reimbursement is the schedule applicable to "participating" physicians.
- Clarify that the MRI fee schedule first went into effect for services and treatment on or after June 19, 2001, the effective date of the legislation (ch. 2001-271, L.O.F.).
- Clarify that the current MRI fee schedules be adjusted annually by the appropriate index.
- Clarify that if medical treatment is rendered out of state, the reimbursement amount is set for the area where the insured resides.

Mediation, Attorney's Fees, Demand Letter

The Select Committee heard testimony from insurers that the cumulative effect of statutory and case law provisions encourage lawsuits and coerce unreasonably high settlements and attorney's fees. These provisions include the one-way attorney's fees statute which allows only the insured or medical provider to be awarded attorney's fees if they prevail, but not insurers; Lodestar and contingency risk multipliers which are case law created provisions that can greatly increase plaintiff's attorney's fees; civil remedy and punitive damage provisions which may be utilized against insurers; plus payment of interest and costs. The insurance companies assert that many PIP reductions and denials (pertaining to payments for medical services) are litigated, even though the amount in controversy is relatively small, because of the potential for large awards for attorney's fees.

Representatives of the plaintiff's bar testified that insureds need attorney representation, based on contingency fee arrangements, in order to "level the playing field" between the insured and the insurance company and that without these provisions, noted above, an insured could

not obtain representation to stand up to unscrupulous insurers. They also point out that Lodestar and multipliers are used in other civil cases and that a court is guided by objective standards in determining the appropriate amount of attorney's fees.

The Select Committee recommends the following:

- Expand the provisions of the current presuit demand letter (s. 627.736(11), F.S.) to be applicable to all PIP disputes and increase the time for insurers to respond to the letter from 7 business days to 15 calendar days.
- Broaden the current provision allowing insurers to bring a civil cause of action (s. 627.736(12), F.S.) by allowing both insurers and insureds to sue a person who committed insurance fraud, patient brokering, or kickbacks associated with PIP claims.
- Clarify that notwithstanding their payments, insurers and their insureds are not precluded from maintaining a civil action to recover payments for services later determined to have violated the PIP statute, or were unlawfully rendered.
- Specify that, for the demand letter, the Chief Financial Officer is the agent for service of process if the insurer does not file an address for demand letters.

PIP Benefits

The Select Committee heard testimony that the \$10,000 PIP coverage benefit has not kept up with inflation and is worth \$3,730 in today's dollars based on the Consumer Price Index. The Select Committee has concerns that increasing the \$10,000 limit will increase the cost of PIP coverage unless it is offset by other factors. To address this issue, the Select Committee recommends:

- That the Legislature consider increasing the \$10,000 PIP benefit in a future legislative session, if the increase in PIP premiums is offset by the reduction in PIP rates resulting from the enactment of the recommendations of this report.

Outstanding Issues

As noted above, there were critical PIP issues for which there was no agreement among the members due in part to the relatively short time that the Select Committee has met. These issues deserve further discussion and debate and are listed below:

- There is concern that many PIP disputes may be litigated due to the cumulative impact of the following statutory and case law provisions which encourage lawsuits on the part of plaintiffs against insurers: one-way attorney's fees statute (allows only insured or medical provider to be awarded attorney's fees if they prevail, but not insurers), Lodestar and contingency risk multipliers (case law created provisions which can increase plaintiff's attorney's fees), civil remedy and punitive damage provisions which may be utilized against insurers, plus payment of interest and costs to the prevailing party. To address this concern:
- Parties to a PIP dispute, involving coverage or the appropriate amount of medical payments, should utilize the current voluntary insurance mediation law (s. 627.745, F.S.) which applies to PIP

claims and allows either party the option to choose mediation. The option to use mediation would affect the application of attorney's fees and costs in the following manner:

- An insurer *would be liable* for attorney's fees and other extraordinary remedies if it declines to participate in mediation or declines to pay the recommended (mediated) amount. The insurer is *not liable* for attorney's fees and other extraordinary damages if the claimant declines to mediate, or if the insurer pays the amount demanded or mediator's recommended amount, plus mediator's fee, and interest.
- If mediation is unsuccessful (the parties fail to reach an agreement), the neutral mediator selected by the Department of Financial Services or the Office of Insurance Regulation, would issue a written report recommending the amount, if any, payable by the insurer.
- Limit the use of contingency risk multipliers to cases of great public importance, e.g., where there is a change in the law.
- Clarify that the offer of judgment provision (s. 768.79, F.S.) applies to PIP cases.
- There was also concern that Florida's verbal threshold, which allows persons injured in motor vehicle accidents to sue for non-economic damages (pain and suffering), is not as strong as three of the four other states which have verbal thresholds, particularly Michigan, New York, and Pennsylvania. To address this issue:
 - Define the term "permanent injury" as it relates to the verbal threshold for non-economic damages (pain and suffering), in order to limit claims for pain and suffering to serious or significant permanent injuries.

Thank you for recognizing the importance of all these issues and for providing a forum for interested parties to participate.

Sincerely,

Senator JD Alexander
Chairman

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 4 was corrected and approved.

CO-SPONSORS

Senators Argenziano—SB 1652; Aronberg—SB 1294; Atwater—SB 440; Bennett—SB 1112; Fasano—SB 440, SB 1118, SB 1578, SB 1670, SB 1674, SB 1678, SB 1680, SB 1682, SB 1684, SB 1686, SB 1694, SB 1696, SB 1698, SB 1726, SB 1734; Garcia—SB 1248; Smith—SB 1406

Senator Wise withdrew as a co-sponsor of SB 440.

RECESS

On motion by Senator Lee, the Senate recessed at 10:46 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, March 13.